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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/549,505 | 04/14/2000 | Brian Mark Shuster | 409475-4 | 8771 |
| 23879 | 7590 | 09/03/2004 | EXAMINER | |
| BRIAN M BERLINER, ESQ O'MELVENY & MYERS, LLP 400 SOUTH HOPE STREET LOS ANGELES, CA 90071-2899 | | | CAMPBELL, JOSHUA D | |
| | | ART UNIT | PAPER NUMBER | |
| | | 2179 | | |
| DATE MAILED: 09/03/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|-----------------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/549,505 | SHUSTER ET AL. <i>SL</i> |
| | Examiner | Art Unit |
| | Joshua D Campbell | 2179 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 August 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 50-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 50-69 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE and Amendment filed on 08/03/2004.
2. Claims 50-69 are pending in this case. Claims 50 and 60 are independent claims. Claims 1-49 have been cancelled. Claims 50-69 have been newly added.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 50-53, 55, 60-62, 64, and 68-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996).

Regarding independent claim 50, Weinberg et al. discloses a method in which a plurality of pages are mapped, each page having a network address and comprising at least one hyperlink to a related page (column 1, line 64-column 2, line 26 of Weinberg et al.). Linked related pages are then identified for the target pages (column 2, lines 10-57 of Weinberg et al.). Weinberg et al. discloses that additional information or properties for each page, object, and link are defined and displayed on the map when a user zooms in the view of the map (column 2, lines 10-57 of Weinberg et al.). Weinberg et al. does not disclose a method in which one object must be selected for each of the target pages. However, it would have been obvious to one of ordinary skill in the art at

the time the invention was made that the method of Weinberg et al. would allow the user to select at least one object from each target page because the method of Weinberg et al. allowed the user to select any and all objects on the map, which obviously would include one from each target page.

Regarding dependent claim 51, Weinberg et al. discloses a method in which a graphical icon is used to identify every object and page in the map (column 2, lines 49-57 of Weinberg). Additional information or properties for each page, object, and link are defined and displayed on the map when a user zooms in the view of the map (column 2, lines 10-57 of Weinberg et al.). Weinberg et al. also discloses a method in which search results (list) from an internet search engine query are used as identifiers to generate the map, and each of those results correspond to one of the objects on the map (column 26, line 47-column 27, line 35 of Weinberg et al.). Weinberg et al. discloses a method in which any of the objects on the map may be selected by the user (column 1, line 64-column 2, line 48 of Weinberg).

Regarding dependent claims 52 and 53, Weinberg et al. discloses that a map is generated that shows the relationship of the objects, which are shown as thumbnail icons and also shows additional information about the objects as the user zooms in on the map (column 2, lines 10-57 of Weinberg et al.). This map is a hierachal representation of the linked page structure (Figure 1 of Weinberg et al.)

Regarding dependent claim 55, Weinberg et al. discloses that a map is generated that shows the relationship of the objects, which are shown as thumbnail

icons, and also shows additional information about the objects as the user zooms in on the map (column 2, lines 10-57 of Weinberg et al.).

Regarding independent claim 60 and dependent claims 61-62 and 64, the claims incorporate substantially similar subject matter as claims 50, 52-53, and 55. Thus, the claims are rejected along the same rationale as claims 50, 52-53, and 55.

Regarding dependent claims 68 and 69, Weinberg et al. discloses a method in which an application module, which is a distributable application, on a client computer generates the map page from information provided by a server (column 7, line 55-column 8, line 15 of Weinberg et al.).

5. Claims 54, 56-58, 63, and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996) as applied to claims 50, 52, 60, and 61 above, and further in view of Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996).

Regarding dependent claim 54, Weinberg fails to teach that information is accessed by selecting an identifier from the list (search engine results). However, Astiz et al. discloses a method of mapping a web page in which the map itself and the corresponding data are stored in a database, from which they can be recalled by users (column 5, line 68-column 6, line 20 of Astiz et al.). Astiz et al. also discloses that a mouse can be used to access maps previously generated that are stored in the database by selecting the page (link in search engine results) that the map corresponds to (column 9, line 31-column 10, line 50 of Astiz et al.). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to combine the method of Weinberg et al. with the method of Astiz et al. because it would have provided a more organized way of accessing the data contained in memory.

Regarding dependent claims 56-58, Weinberg et al. does not disclose a method in which the map data and pages are stored in a database, where users can recall the information using the mouse. Weinberg et al. also discloses that search engine may be used for mapping purposes, so that a search is performed for pages on a wide area network (internet) and a map is created from that set of web pages (column 26, line 32-column 27, line 35 of Weinberg et al.). Weinberg fails to teach that the information is stored in a database and accessed using a mouse by selecting the original page. However, Astiz et al. discloses a method of mapping a web page in which the map itself and the corresponding data are stored in a database, from which they can be recalled by users (column 5, line 68-column 6, line 20 of Astiz et al.). Astiz et al. also discloses that a mouse can be used to access maps previously generated that are stored in the database by selecting the page (link in search engine results) that the map corresponds too (column 9, line 31-column 10, line 50 of Astiz et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Weinberg et al. with the method of Astiz et al. because it would have provided a more organized way of accessing the data contained in memory.

Regarding dependent claims 63 and 65-67, the claims incorporate substantially similar subject matter as claims 54 and 56-58. Thus, the claims are rejected along the same rationale as claims 54 and 56-58.

6. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996) in view of Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996) as applied to claim 56 above, and further in view of Sitka (US Patent Number 6,330,572, US filing date July 15, 1998).

7. **Regarding dependent claim 59**, neither Weinberg et al. nor Astiz et al. disclose a method of deleting items from the map database after a predetermined amount of time. However, Sitka discloses a method of database management in which items in which items contained within a database can be automatically deleted based on the amount of time they have spent in the database (column 17, line 54-column 18, line 3 of Sitka). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the method of Sitka on the mapping system because Sitka's method was applicable to any database.

Response to Arguments

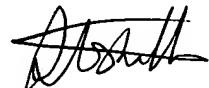
8. Applicant's arguments with respect to claims 50-59 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JDC
August 19, 2004

STEPHEN S. HONG
PRIMARY EXAMINER